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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		<b>Application Number</b>	10/666,897
		<b>Filing Date</b>	09/17/2003
		<b>First Named Inventor</b>	Atanackovic
		<b>Group/Art Unit</b>	2815
		<b>Examiner Name</b>	Jackson, Jr., Jerome
<b>Total Number of Pages in This Submission</b>	7	<b>Attorney Docket Number</b>	39230-0704

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): stamped return postcard
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Firm or Individual name	Paul Davis, Reg. No. 29,294, HELLER EHRMAN WHITE & McAULIFFE LLP		
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Date	4/14/04	Customer Number:	25213

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Attorney Docket No. 39230-0704

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor: Atanackovic

Group Art Unit: 2815

Application No.: 10/666,897

Examiner: Jackson, Jr., Jerome.

Filed: 09/17/2003

For: Devices with Optical Gain in Silicon

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed March 17, 2004, and is submitted on or before the current due date of April 17, 2004.

***Election of Species:***

Applicant elects to prosecute claims 66-69, 71-80, 105-106, 108-110 and 112 (Group I).

***Identification of Species:***

Applicant identifies the elected claims 66-69, 71-80, 105-106, 108-110 and 112 as a superlattice with a rare earth ion.

***Claims readable upon Elected Species:***

Applicant identifies the following claims as readable upon the elected species: 66-69, 71-80, 105-106, 108-110 and 112.

***Cancellation of Non-Elected Claims:***

Applicant cancels claims 70, 81-104, 107, 111 and 113 with traverse. Applicant reserves the right to prosecute the non-elected claims in a divisional application.